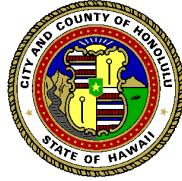


HONOLULU FIRE COMMISSION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 9<sup>TH</sup> FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 723-7321 Fax: (808) 723-7397

KIRK CALDWELL  
MAYOR



JAMES S. WATARU  
CHAIR

STEFANIE LEE  
VICE CHAIR

MAX HANNEMANN

CHARLOTTE NEKOTA

WILLIAM HONG

DENNIS MORTON

CRAIG NAGAMINE

Minutes of Regular Public Meeting  
Honolulu Fire Department Headquarters  
Honolulu Fire Department Auditorium  
Wednesday June 26, 2019

CALL TO ORDER: Chair Wataru called the regular meeting to order at 1:01 p.m.

MEMBERS PRESENT: James Wataru, Stefanie Lee, Max Hannemann, Charlotte Nekota, William Hong, Dennis Morton and Craig Nagamine.

IN ATTENDANCE: Fire Chief Manuel Neves (HFD), Deputy Fire Chief Lionel Camara (HFD), Assistant Fire Chief Ron Rico (HFD), Assistant Fire Socrates Bratakos (HFD), Robert Lee (HFFA), Frank Johnson (HFFA), Andy Fukuda (HFFA), Jolyn Garidan Priero (HFFA), Daisy Canite-Miyashiro (HFFA), Brian Ancheta (Corporation Counsel), and Nadine Murata.

II. PUBLIC TESTIMONY. Chair Wataru asked if there was anyone from the public who wished to give public testimony.

Mr. Robert Lee of the Hawaii Fire Fighters Association (HFFA) introduced himself and handouts were passed out to the Commission by Ms. Jolyn Garidan Prieto (HFFA).

Mr. Lee briefly went over a cover letter dated June 26, 2019, addressed to Chair Wataru and the Honolulu Fire Commission re: Agenda Item III, Comments from HFFA regarding concerns and issues relating to the annual evaluation of Fire Chief Manuel P. Neves, and updates on the bargaining Unit 11 grievances.

Mr. Lee highlighted updates on the number of filed grievances against the Honolulu Fire Department (HFD) under Fire Chief Manuel P. Neves from 2018 to present date.

Mr. Lee re-summarized the overtime cost chart that was prepared by Mr. Nelson H. Koyanagi, Jr. Director of the Department of Budget and Fiscal Services to the Commission.

Mr. Lee went over the Impasse Arbitration for Bargaining Unit 11 handout with the Commission.

Mr. Lee highlighted page 8 of the Impasse Arbitration for Bargaining Unit 11 (3) The interests and welfare of the public, last paragraph, "In addition, the Panel recognizes that the existing Section 27-A, Rank-for-Rank Recall, contributes to the public welfare by helping prevent and avoid safety problems that could adversely impact the public. Thus, although the rank-for-rank provision may increase overtime costs, the Panel appreciates that its value to public safety and to the morale of the Bargaining Unit 11 members outweighs any fiscal concerns. Based upon the record evidence presented at this hearing, the Panel is fully satisfied that the interests and welfare of the public are properly addressed in this Award".

Mr. Lee highlighted page 10 of the Impasse Arbitration Bargaining Unit 11, Employer Group 4<sup>th</sup> paragraph, "Mr. Koyanagi also highlighted an increase in overtime costs since the introduction of rank-for-rank in the CBA for Bargaining Unit 11..... a sharp increase from approximately \$11 million in 2014 to \$25 million in 2018.

Mr. Lee asked if there were any questions regarding the rank-for-rank.

Chair Wataru asked with the overtime increase how much is rank-for-rank.

Mr. Lee responded that rank-for-rank is a fixed cost, and its members are offered 288 hours in overtime. This program was to address issues in equities in overtime which caused morale problems, safety issues, and an equal distribution among ranks.

Mr. Lee indicated that the department manages the program in consultation with HFFA.

Mr. Lee mentioned that there is no department that can function properly without overtime.

Mr. Lee went explained rank-for-rank with the Commission.

Chair Wataru went over the letter received from Mr. Koyanagi dated June 25, 2019, last paragraph, 2<sup>nd</sup> sentence, "No expenditures for the rank-for-rank recall program were recorded prior to FY 2015".

Mr. Lee disagreed and indicated that in 2003 when the rank-for-rank was implemented there had to be some kind of fix cost with documentation.

Chair Wataru indicated that he would have liked for Mr. Koyanagi to be present to answer any issues of concerns that the Commission and HFFA might have.

Chair Wataru informed the Commission that a copy of the letter addressed to the Commission dated June 26, 2109 from Mr. Koyanagi will be given to Mr. Lee.

Chair Wataru asked if there were any questions.

Commissioner Morton asked Mr. Lee what he thought would be the cost for 2014 and 2015.

Mr. Lee answered it would reflect overtime cost in staffing, training, and programs.

Commissioner Morton indicated everything but rank-for-rank.

Mr. Lee answered yes.

Chair Wataru asked Fire Chief Neves if there was anything he would like to add.

Fire Chief Neves answered no.

Commissioner Hannemann asked Mr. Lee that in 2018 there were 22 grievances filed by HFFA and asked if any of them were resolved or settled at the department level.

Mr. Lee mentioned that the Intra-Departmental Non-competitive Promotional Positions (IDCE) was a continuance throughout 2018 starting from 2017.

Mr. Lee mentioned if there was any sort of settlement it was a minor grievance at the department level.

Commissioner Hannemann asked for HFFA's steps in handling grievances.

Mr. Lee answered, Step 1 is with HFD, Step 2 is with Department of Human Resources (DHR), and Step 3 is arbitration.

Commissioner Hannemann asked Mr. Lee if he recalled any grievances being resolved at the DHR level.

Mr. Lee mentioned that HFFA had several settlements with DHR and currently the IDCE is in the process of being settled with DHR.

Commissioner Hannemann asked Mr. Lee why settlements are more at the DHR level then at the department level.

Mr. Lee answered its due to the department not trying to rebuild labor management relationships.

Commissioner Hannemann asked Mr. Lee if he could share a grievance that was at Step 1 and was denied and resolved at Step 2.

Mr. Lee mentioned it was last year's promotional grievances and Mr. Lee explained how it affected personnel who were or were not up for promotions.

Commissioner Morton went over grievance and indicated that there were 34 grievances filed and 32 pending grievances and asked why there were only 2 grievances resolved in the past year.

Mr. Lee answered that the majority of the grievances are IDCE and a handful of termination.

Mr. Lee mentioned that they are currently working on resolving the situation.

Commissioner Hong asked Mr. Lee what is the cost of their legal fees.

Mr. Lee answered between \$150,000 to \$250,000 a year not including HFFA's contract arbitration.

Commissioner Hong expressed that the money spent could have gone towards something else.

Mr. Lee answered, yes it could have gone towards training programs and educating its members.

Commissioner Hong suggested to Chair Wataru that the Commission needs to look at the waste of money spent and how it could be used toward the department.

Chair Wataru asked Mr. Lee if his concern was the amount of overtime spent or how much is being spent.

Chair Wataru explained to Mr. Lee that Fire Chief Neves indicated that in the past the trucks were not fully manned and to improve and not take trucks out of service Fire Chief Neves is fully staffing the trucks to keep the community safe.

Chair Wataru asked for HFFA's view and mentioned that fully staffing the trucks and paying overtime is not a bad thing.

Mr. Lee explained that he was focused on the rank-for-rank and agreed that Chief Rico does a great job in keeping the trucks fully staffed.

Mr. Lee felt the last administration did a great job on staffing and expressed disappointment on comments made and suggested that an audit be conducted to see where monies are spent.

Chair Wataru asked Mr. Lee what he meant when he said, Chief Neves mismanages the department's budget.

Mr. Lee answered with the monies spent.

Chair Wataru asked if there was an annual audit by the department.

Mr. Lee didn't have an answer.

Chair Wataru asked if there was anyone else from the public who wish to give testimony. There was none.

#### IV. RESPONSE FROM THE CITY DEPARTMENT OF BUDGET AND FISCAL SERVICES REGARDING RISE IN HFD OVERTIME COSTS, 2013-2018.

Chair Wataru mentioned the Commission is in receipt of a letter which was received today and they will review and further discuss.

Fire Chief Neves asked Chair Wataru if he could explain the chart that was passed out.

Fire Chief Neves went over HFFA Arbitration testimony on page 6 and explained that in 2015 the amount spent was due to rank-for-rank overtime and indicated that rank-for-rank is costly.

Fire Chief Neves mentioned that rank-for-rank was a major contributor to this increase.

Fire Chief Neves mentioned that rank-for-rank is not only very expensive while the employee is working, but believes that rank-for-rank overtime may contribute to “spiking”.

Fire Chief Neves indicated that these are Mr. Koyanagi’s power point and numbers.

Chair Wataru asked if there was anyone who would like to further discuss this matter. There were none.

V. APPROVAL OF THE MINUTES OF MAY 15 2019. Chair Wataru called for any comments or corrections to the minutes of the regular public meeting of May 15, 2019. Fire Chief Neves mentioned there were minor corrections. Fire Chief Neves mentioned on the 1<sup>st</sup> page there was a dropped “F” for Chief Sanchez and on page 4, 3<sup>rd</sup> sentence it should read “Chief Bratakos” and not Chief Socrates.

Fire Chief Neves also mentioned that on page 7 under Chief Bratakos 3<sup>rd</sup> paragraph he suggested replacing “the architect.....sprinkler installation” with “buildings to install fire sprinklers without going through evaluation”.

There being no further comments or corrections Commissioner Lee moved and Commissioner Morton seconded that the minutes be approved as circulated.

VI. APPROVAL OF THE EXECUTIVE SESSION MINUTES OF MAY 15, 2019. Chair Wataru called for any comments or corrections to the executive session minutes of May 15, 2019. There being no further comments or corrections Commissioner Lee and Commissioner Morton seconded that the minutes be approved as circulated.

VII. REPORT OF THE FIRE CHIEF. Fire Chief Neves passed out copies of his monthly report for May 2019 and highlighted the following:

1. Fires. Fire Chief Neves mentioned that there were 8 structural fires and highlighted a few. Details of the fire incidents can be found in the monthly report.

Fire Chief Neves went over an incident that took place at Punchbowl regarding a vehicle that was intentionally set on fire which caused a garage to heat up and cause fire to an apartment building.

Fire Chief Neves went over an incident that took place at Pacific Heights and explained that the cause of fire was due to a generator that was closely stored to combustibles in the garage.

Fire Chief Neves mentioned several wildland fire flare-ups.

Fire Chief Neves went over an incident regarding a missing swimmer in Kailua Bay and that the swimmer was recovered on shore the next day.

2. Hazardous Conditions. Fire Chief Neves mentioned that the department responded to 20 weather-related emergencies.

3 Arcing wires  
4 Downed trees  
6 Downed power lines  
7 Water evacuations

3. Equipment Status. Fire Chief Neves informed the Commission that there are 8 frontline and 1 auxiliary apparatus that were out of service.

4. Vacancies. Fire Chief Neves mentioned current vacancies are down to 35 due to a recent graduation of 17 in the 105<sup>th</sup> class and 46 in the 106<sup>th</sup> class from a recent total of 98 back in April 2019.

Fire Chief Neves mentioned that the fire fighter recruit 2 class will commence at the end of the year and a full class will begin next April.

5. Injuries- Report of Industrial Injury or Illness (ISWC). Fire Chief Neves went over the injury list with the Commission as well as the loss of time incidents.

6. Grievances. Fire Chief Neves went over the grievance with the Commission and went over pending grievances. Details are in the monthly report.

The Fire Chief also reported on the following:

1. During the month of May, HFD did not receive any complimentary correspondences and complaints.
2. Fire Chief Neves went over station visitations.

May 2019 (11/1,181)

3. Fire Chief Neves mentioned that invitations have gone out to the Commission for the ceremonial blessing of the Hauula Fire Station on July 30, 2019 and mentioned that lunch will be served.

Fire Chief Neves mentioned that personnel and vehicles have already moved into the station as of last week Friday.

Chair Wataru asked if it's operational.

Fire Chief Neves answered, "Yes".

3. Fire Chief Neves had each member of the executive staff give a brief description of their section's recent activities.

Deputy Fire Chief Lionel Camara, Jr. Chief Camara updated the Commission on station repairs. Chief Camara mentioned that the Department of Facility and Maintenance (DFM) employs 16 employees for repairs and HFD has over 2,000 repair requests.

Chief Camara mentioned that HFD has met with DFM to seek overtime employment of their employees to help with station repairs on Saturdays.

Chief Camara indicated that DFM's employees have been working Saturdays making repairs and HFD has been paying for their labor and supplies.

Fire Chief Neves mentioned that repairs are based on priority.

Chair Wataru asked if it comes out of the HFD budget.

Fire Chief Neves answered yes.

Assistant Fire Chief Socrates Bratakos- Support Services. Chief Bratakos spoke of a class that the department recently put together in collaboration with fire operations and training/research.

Chief Bratakos mentioned there are 20 – 25 on duty fire fighters in a class everyday learning about the buildings and its systems (i.e. sandpipes and sprinkler systems in the older and newer buildings).

Chief Bratakos explained how sandpipes work and mentioned a recent purchase of 2 ½ inch hoses to help extinguish fires.

Chief Bratakos mentioned that fire fighters have been practicing shooting water with the newer hoses at the training center.

Chief Bratakos mentioned that there are 1,000 fire fighters who need to go through training and that 500 have already completed their training.

Chief Bratakos mentioned that annual firefighting training is conducted every year and expressed its importance as it helps the department to keep up current.

Chief Bratakos asked if there were any questions.

Commissioner Hong asked about the National High Rise Fire Fighting Program.

Chief Bratakos mentioned that the department sends personnel to these conferences.

Commissioner Morton what is the size of the hose.

Chief Bratakos answered, 2 ½ inch hoses which will flow more water.

Commissioner Hannemann excused himself at 1:51 p.m.

Fire Chief Neves mentioned that the department also started 2 separate training programs, the hose hand me training and the hose high rise.

Fire Chief Neves mentioned that the department also purchased a 1 ¾ inch hose in addition to the 2 ½ inch hose.

Chief Bratakos mentioned that the 1 ¾ hose will allow a little bigger flow from the 1 ½ inch hose.

Chief Bratakos mentioned that the department has purchased equipment that will help the department work with codes, and navigate through old and new buildings.

Chair Wataru asked if there were any questions, there were none.

VIII. EXECUTIVE SESSION: Annual Evaluation of the Fire Chief. Commissioner Nekota moved and Commissioner Nagamine seconded that the Commission go into executive session regarding the evaluation of the Fire Chief “to consider the hire, evaluation, dismissal, or



discipline of an officer or employer or employee where consideration of matters affecting privacy will be involved” [HRS Sec. 92-5(a)(2)], and to “consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities” with regard to these matters [HRS Sec. 92-5(a)(4)]. The Commission went into Executive Session at 2:03 p.m. and the regular public meeting reconvened at 2:28 p.m.

IX. EXECUTIVE SESSION: Counsel Resolution No. 18-298, CD1 re: Fire Recruit Training and Testing Programs. Commissioner Lee moved and Commissioner Morton seconded that the Commission go into executive session regarding the discussion of Counsel Resolution No. 18-298 “to consider the hire, evaluation, dismissal, or discipline of an officer or employer or employee where consideration of matters affecting privacy will be involved” [HRS Sec. 92-5(a)(2)], and to “consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities” with regard to these matters [HRS Sec. 92-5(a)(4)]. The Commission went into Executive Session at 2:30 p.m. and the regular public meeting reconvened at 2:40 p.m.

X. ANNOUNCEMENT: The next Commission meeting will be held on Wednesday, July 17, at 1 p.m. in the Honolulu Fire Department Auditorium.

XI. ADJOURNMENT: There being no other business the Commission ended its meeting. It was adjourned at 2:40 p.m.

Respectfully submitted by: Nadine Murata, Secretary.

APPROVED:

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JAMES WATARU, Chair